

## REMARKS

This Response is in reply to the Non-Final Office Action dated August 20, 2008. Claims 47-92 are pending in this application. Claims 47-92 are rejected. In response, Claims 47, 51, 52, 56, 58-61, 64, 67, 70, 81, 84, and 90 have been amended. The amendment does not add new matter. In view of the amendment and/or for the reasons set forth below, Applicants respectfully submit the rejections are improper and should be withdrawn.

### **Claim Objections**

In the Office Action, Claim 89 is objected to because the claim depends on cancelled Claim 42. In response, Claim 89 has been amended to depend on Claim 88.

Accordingly, Applicants respectfully request the objection with respect to Claim 89 be reconsidered and the objection withdrawn.

### **Rejections under 35 U.S.C. 112**

In the Office Action, Claims 51-53, 56, 57, 59, 60, 64-69, and 90-92 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully traverse the rejection for at least the reasons set forth below.

Claim 51 is rejected because there is insufficient antecedent basis for “the address information” and “the entity.” In response, Claims 51 has been amended to depend on Claim 50 which provides proper antecedent basis for “the address information” and “the entity.”

Claim 52 is rejected because there is insufficient antecedent basis for “the first access means.” In response, Claim 52 has been amended to recite, in part, “the first content access means.”

Claim 56 and Claim 57 that depends thereon are rejected because there is insufficient antecedent basis for “the search means.” In response, Claim 56 has been amended to recite, in part, “the-a search means.”

Claims 59 and 60 are rejected because there is insufficient antecedent basis for “the program information.” In response, Claims 59 and 60 have been amended to recite, in part, “the program meta information.”

Claim 64 and Claims 65 and 66 that depend thereon are rejected because there is insufficient antecedent basis for “the content.” In response, Claim 64 has been amended to recite, in part, “an entity of ~~the-a~~ content.”

Claim 67 and Claims 68 and 69 that depend thereon are rejected because there is insufficient antecedent basis for “the content.” In response, Claim 67 has been amended to recite, in part, “relating to ~~the~~ content.”

Claim 90 and Claims 91 and 92 that depend thereon are rejected because there is insufficient antecedent basis for “the content.” In response, Claim 90 has been amended to recite, in part, “~~the~~ content is accessed.”

Accordingly, Applicants respectfully request the 35 U.S.C 112 rejections with respect to Claims 51-53, 56, 57, 59, 60, 64-69, and 90-92 be reconsidered and the rejections withdrawn.

#### **Rejections under 35 U.S.C. 101**

In the Office Action, Claims 47-57 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Specifically, the Office Action states the claimed information access system is software per se.

Applicants respectfully disagree the claimed information access system is software per se. First, Applicants submit the information access system is tied to a particular machine and is thus statutory subject matter. See, MPEP 2106. For example, Claim 47 recites in part, “transmission means for transmitting the program meta information and a meta information ID from *an information distribution device* to *an information reception device*.” (emphasis added). Second, Applicants submit the information access system cannot be software per se because the information access system includes a display means. As embodied by the claims and further supported by the specification, “the information reception device 101 displays an EPG display screen on the display section 508.” See, published specification, paragraph [0224]. Applicants submit software cannot display, such as an EPG display screen.

Accordingly, Applicants respectfully request the 35 U.S.C 101 rejections with respect to Claims 47-57 be reconsidered and the rejections withdrawn.

## Rejections under 35 U.S.C. 102

In the Office Action, Claims 47-51, 58-64, 70-74, and 81-87 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,240,555 to Shoff et al. ("Shoff"). Applicants respectfully traverse the rejection for at least the reasons set forth below.

Claim 47 has been amended to recite, in part, "storage means for storing program meta information and content meta information, wherein the content meta information is updated in real time... display means for displaying the content meta information acquired from the information distribution device, wherein the content meta information acquired is a latest content meta information." Claims 58, 61, 70, 81, and 84 are similarly amended.

The amendment is fully supported by the specification. For example, Applicants disclose, "The contents of the meta information group located in the directory server 106 can be updated in real time." See, published specification, paragraph [0474]. Applicants also disclose, "Based on the meta information reference ID, the information reception device 101 can always receive the latest sub contents, sub meta information, or others from the information distribution device 104." See, published specification, paragraph [0484].

Applicants respectfully submit Shoff fails to disclose updating the stored content meta information in real time and acquiring the latest content meta information. Instead, Shoff discloses, "The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types." See, Shoff, column 5, lines 16-18. However, Shoff fails to disclose the supplemental content stored in database 54 is updated in real time. Shoff also discloses the received supplemental content "is displayed according to this display layout and synchronized to the program according to the timing information." See, Shoff, column 10, lines 50-52. But, Shoff fails to disclose the received supplemental content is the latest supplemental content.

Accordingly, Applicants respectfully request the anticipation rejections with respect to Claims 47, 58, 61, 70, 81, and 84 and Claims 48-51, 59-60, 62-64, 71-73, 82-83, and 85-87 that depend thereon be reconsidered and the rejections withdrawn.

**Rejections under 35 U.S.C. 103**

In the Office Action, Claims 52, 53, 65, 66, 75, 76, 88, and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoff in view of U.S. Patent No. 7,363,591 to Goldthwaite et al. (“Goldthwaite”). Claims 54, 55, 67, 77, 78 and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoff in view of U.S. Patent Publication No. 2003/0014753 to Beach et al. (“Beach”). Claims 56, 68, 69, 79, and 91 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoff in view of Beach and further in view of U.S. Patent Publication No. 2001/0027557 to Shinkawa et al. (“Shinkawa”).

Applicants respectfully submit the patentability of independent Claims 47, 58, 61, 70, 81, and 84 as previously discussed renders moot the obviousness rejection of Claims 52-56, 65-69, 75-79, and 88-91 that depend thereon. In this regard, the cited art fails to teach or suggest all the elements of Claims 47, 58, 61, 70, 81, and 84 in combination with the novel elements of Claims 52-56, 65-69, 75-79, and 88-91.

Accordingly, Applicants respectfully request the obviousness rejections with respect to Claims 52-56, 65-69, 75-79, and 88-91 be reconsidered and the rejections withdrawn.

For at least the forgoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of the same.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing. If such a withdrawal is made, please indicate the Attorney Docket No. 112857-489 on the account statement.

Respectfully submitted,

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